

A ORDINANCE BY

03-O-1120

COUNCILMEMBER IVORY LEE YOUNG JR.

AS SUBSTITUTED AND AMENDED BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

AN ORDINANCE TO AMEND ARTICLE VII SO AS TO CREATE
CHAPTER 107, WHICH WILL IDENTIFY SPECIFIC SCHOOLS
AND OTHER PERMISSIBLE AREAS AS DRUG FREE ZONES
AND AUTHORIZE THE PLACEMENT OF DRUG FREE ZONE
SIGNS AT THESE SPECIFIED LOCATIONS; AND FOR OTHER
PURPOSES.

WHEREAS, the Georgia State Code, section 16-13-32.4, authorizes a municipality to designate the area within one thousand feet of real property owned by or leased to a public or private school and being used for elementary or secondary education, as a drug free school zone; and

WHEREAS, the Georgia State Code, section 16-13-32.5, authorizes a municipality to designate the area within one thousand feet of any real property dedicated and set apart by the governing authority for use as a park, playground, recreation center or any other recreation purpose, as a drug free recreational zone; and

WHEREAS, the Georgia State Code, section 16-13-32.5, authorizes a municipality to designate the area within one thousand feet of any real property being utilized as a housing project, and is publicly owned or publicly operated, as a drug free residential zone; and

WHEREAS, it is the responsibility of the City Council to utilize whatever means available to combat drug use; and

WHEREAS, the creation of these drug free zones will help combat drug trafficking and use.

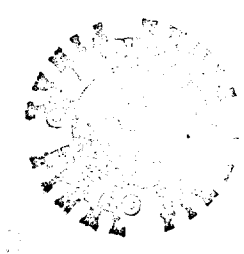
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ATLANTA, GEORGIA as follows:

SECTION 1:

That the City of Atlanta, Code of Ordinances, Article VII, is amended so as to add Chapter 107 as described below:

Section 107-100 Designation of Drug Free Zones

(a) Designated Drug Free School Zones: Shall be defined as that area one thousand feet within the locations described below:

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- (1) Booker T. Washington High School located at 45 Whitehouse Drive, SW, Atlanta, Georgia;
 - (2) John F. Kennedy Middle School located at 225 Griffin Street, NW, Atlanta, Georgia;
 - (3) Alonzo F. Herndon Elementary School located at 187 Wesley Avenue, NE, Atlanta, Georgia; and
 - (4) Mary Mcleod Bethune Elementary School located at 220 Northside Drive, NW, Atlanta, Georgia.

(b) Designated Drug Free Recreational Zones: Shall be defined as that area one thousand feet within the locations described below:

- (1) John F. Kennedy Park located at 225 Orr Street, Atlanta, Georgia;
- (2) Charles L. Harper Memorial Park located at Joseph E. Lowery Blvd. at Mayson Turner Road, NW.

(c) Designated Drug Free Residential Zones: Shall be defined as that area one thousand feet within the locations described below:

(d) The commissioner of public works, in consultation with the Atlanta Police Department, shall erect appropriate signage at each location described in subsections (a)(b) and (c) above.

(e) The posting of signage at each location described in subsections (a)(1), (a)(2), (a)(3), (a)(4), (b)(1), (b)(2) above shall be funded by the Project Safe Neighborhood grant.

Section. 107-101 Duration; Revision; Deletion

(a) Designation of drug-free zones shall expire five years from the date of the enactment of this ordinance, unless the Council after causing an appropriate study to be undertaken, decides to continue as or designate as a drug-free zone by enacting an ordinance

(b) The council may revise the designations by ordinance in the event it deems that appropriate.

(c) The council may remove the designation of drug-free zone in the event it deems that appropriate. The removal of the designation also shall be by ordinance.

Section 107-102 Prohibited Acts

(a) It shall be unlawful for any person within the drug-free zones designated in section 107-100 of the City Code of Atlanta to manufacture, distribute, dispense or possess with intent to distribute a controlled substance or marijuana.



(b) Any person violating this code section shall be punished pursuant to section 1-8 of this Code as it shall be amended from time to time.

(c) A person is subject to exclusion for a period of six months from the public streets, sidewalks, and other public ways in all designated drug-free zones designated in article VII of chapter 107 of the Code if that person has been found guilty and convicted of violating subparagraph (a) of this section.

Section 107-103 Issuance of Exclusion Notices

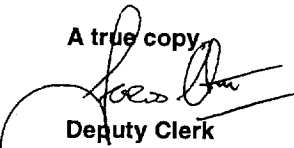
(a) The municipal or city court judge shall issue exclusion notices to any person found in violation of this code section as provided for in section 107-102(a).

(b) If a person excluded from a designated drug-free zones is found in any such zone during the exclusion period, that person is subject to immediate arrest for violation of this code section as provided in section 1-8 of this Code.

SECTION 2:

That all ordinances or parts or ordinances in conflict herewith are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

JULY 21, 2003
JULY 29, 2003

RCS# 4940
7/21/03
6:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-O-1034
03-R-1110, 03-R-1137, 03-O-1116
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
E Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

CONSENT I

		7/21/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 02-O-1259 2. 03-O-0148 3. 03-O-0826 4. 03-O-1114 5. 03-O-1122 6. 03-O-0939 7. 03-O-0974 8. 03-O-1120 9. 03-O-0964 10. 03-O-1115 11. 03-O-1117 12. 03-R-0896 13. 03-R-1103 14. 03-R-1126 15. 03-R-1136 16. 03-R-1124 17. 03-R-1102 18. 03-R-1129 19. 03-R-1135 20. 03-R-1088 21. 03-R-1104 22. 03-R-1111 23. 03-R-1036 24. 03-R-1037 25. 03-R-1038	26. 03-R-1039 27. 03-R-1040 28. 03-R-1041 29. 03-R-1042 30. 03-R-1043 31. 03-R-1044 32. 03-R-1045 33. 03-R-1046 34. 03-R-1047 35. 03-R-1048 36. 03-R-1049 37. 03-R-1050 38. 03-R-1051 39. 03-R-1052 40. 03-R-1053 41. 03-R-1054 42. 03-R-1055 43. 03-R-1056 44. 03-R-1057 45. 03-R-1058 46. 03-R-1059 47. 03-R-1060 48. 03-R-1061 49. 03-R-1062 50. 03-R-1063	51. 03-R-1064 52. 03-R-1065 53. 03-R-1066 54. 03-R-1067 55. 03-R-1068 56. 03-R-1069 57. 03-R-1070 58. 03-R-1071 59. 03-R-1072 60. 03-R-1073 61. 03-R-1074

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4940)

Items Removed from the Consent Agenda: 03-O-1034; 03-O-1116; 03-R-1110; 03-R-1137;

03-0-1120

(Do Not Write Above This Line)

AN ORDINANCE BY

COUNCILMEMBER IVORY

LEE YOUNG

AN ORDINANCE TO AMEND ARTICLE VII SO AS TO CREATE CHAPTER 107, WHICH WILL IDENTIFY SPECIFIC SCHOOLS AND OTHER PERMISSIBLE AREAS AS DRUG FREE ZONES AND AUTHORIZE THE PLACEMENT OF DRUG FREE ZONE SIGNS AT THESE SPECIFIED LOCATIONS; AND FOR OTHER PURPOSES.
SUBSTITUTE AS AMENDED
CONSIST REFERENCE

- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 7/7/03
Referred To: Public Safety & S.A.
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSA Committee

7-15-03 Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

W. Young

Lee Young

W. Young

W. Young

W. Young

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

ADOPTED BY

JUL 21 2003

COUNCIL

Refer To

CERTIFIED

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
JUL 21 2003

W. Young
COUNCIL PRESIDENT PROTEM

CERTIFIED
JUL 21 2003

DEPUTY MUNICIPAL CLERK
MAYOR'S ACTION

W. Young